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8 Beccela's Etc., LLC

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 CISCO SYSTEMS, INC., et al.,

13 Plaintiffs,

14 vs.

15 BECCELA'S ETC., LLC,

16 Defendant.

Case No. 18-cv-00477-BLF (SVK)

**STIPULATION AND ~~PROPOSED~~ ORDER
FOR LEAVE TO FILE AMENDED
COMPLAINT AND SETTING BRIEFING
SCHEDULE**

1 Pursuant to Local Rules 6-1(b) and 6-2, Plaintiffs Cisco Systems, Inc. and Cisco
2 Technology, Inc. (together, “Cisco”) and Defendant Beccela’s Etc., LLC (“BecTech” and together
3 with Cisco, the “Parties”) hereby stipulate and agree as follows:

4 WHEREAS, Cisco filed its Complaint on January 22, 2018, ECF No. 1;

5 WHEREAS, BecTech filed a Motion to Dismiss the Complaint (the “Motion”) on March
6 29, 2018, ECF No. 22, that was set for hearing on August 16, 2018 at 9:00 a.m.;

7 WHEREAS, Cisco advised BecTech that it desired to file an amended complaint;

8 WHEREAS, the Parties entered into a stipulation on July 16, 2018, by which the hearing for
9 the Motion would be vacated, Cisco would provide a proposed Amended Complaint on August 3,
10 2018, and BecTech would inform Cisco that it would either stipulate to or oppose amendment of
11 the Complaint by August 7, 2018, and that Cisco would file any stipulation by August 10, 2018;

12 WHEREAS, Cisco provided BecTech on August 3, 2018 with a copy of its proposed
13 Amended Complaint, which seeks to add additional defendants and claims in this action;

14 WHEREAS, BecTech does not oppose Cisco’s request to file Plaintiffs’ [Proposed]
15 Amended Complaint attached hereto as Exhibit A (“Amended Complaint”);

16 WHEREAS, the Amended Complaint adds Arbitech, LLC (“Arbitech”) and another
17 company as Defendants;

18 WHEREAS, Arbitech is the parent of BecTech and is represented by the same counsel;

19 WHEREAS, Arbitech has agreed to accept service of the Amended Complaint and respond
20 to the Amended Complaint on the same agreed schedule as BecTech below; and,

21 WHEREAS, good cause exists to permit the extensions of time and stipulated briefing
22 schedule in the interest of efficiency and preserving the time and resources of the Parties and the
23 Court.

24 IT IS THEREFORE STIPULATED AND AGREED that this Stipulation shall be deemed
25 entered and the Amended Complaint, which is attached hereto as Exhibit A, shall be electronically
26 filed as a separate docket entry by Cisco on or before August 14, 2018.

27 IT IS FURTHER STIPULATED AND AGREED that:

28 a. Defendant BecTech and Arbitech shall file their responses to the Amended

1 Complaint on or before September 11, 2018, 28 days from the Complaint filing
2 deadline above;

3 b. Should Defendant BecTech and/or Arbitech move to dismiss, Cisco shall file its
4 opposition to BecTech's motion on or before October 9, 2018, 28 days from the last
5 day for filing of any such motion to dismiss; and,

6 c. BecTech and/or Arbitech shall file any reply brief by October 23, 2018, 14 days
7 from the last day for filing of Cisco's opposition.

8 **IT IS SO STIPULATED.**

9 DATED: August 10, 2018

Respectfully submitted,

10 HUESTON HENNIGAN LLP

11
12 By: /s/ Douglas J. Dixon

Douglas J. Dixon

13 Attorneys for Defendant

14 Beccela's Etc., LLC

15
16 DATED: August 10, 2018

SIDEMAN & BANCROFT LLP

17
18 By: /s/ Richard J. Nelson

19 Richard J. Nelson

Attorneys for Plaintiffs

20 Cisco Systems, Inc. and Cisco Technology, Inc.

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22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

23
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25 Dated: August 10, 2018



26 Beth Labson Freeman
27 United States District Judge
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